

**FINAL (Produced 7-13-06)
Vasquez I-70 Working Group
Meeting Notes**

**June 15, 2006
9:00 a.m. – 12:00 p.m.
Swansea-Elyria Neighborhood
Cross Community Coalition
2501 East 48th Ave.
Denver, CO 80216
303-292-3203**

ATTENDING

Meeting Participants: Please see attachment provided previously.

Facilitator: George Weber, George Weber Inc. Environmental

Recorder: Barbara O'Grady, VB-I70 Site Program Manager, CDPHE

Meeting Note Taker: Jennifer Chergo, Region VIII EPA, Community Relations

Refreshments: Michelle Smith, PRI

BACKGROUND AND MEETING OBJECTIVES

Meeting called by: Vasquez I-70 Working Group

Type of meeting: Reporting, Q&A, feedback, discussion.

Desired Outcomes:

- Members of the Working Group gain a better understanding of how lead based paint hazards interplay with the soil hazards and the overall safety of the community.
- Participants receive a progress report and have their questions answered in re soil sampling and clean-up at each OU and schedule for completion.
- Participants receive a report regarding EPA plans for CHP and public participation.
- Community members have their concerns and questions answered.
- Participants receive a progress report in re variety of Community Health Program activities and have their questions answered.

1. WELCOME AND INTRODUCTIONS – GEORGE WEBER, FACILITATOR

George Weber began the meeting by asking each meeting participant to introduce themselves to the group.

**2. TOXIC LEAD EXPOSURE IN DENVER'S NEIGHBORHOODS – PRESENTATION OF
INFORMATION ABOUT LEAD-BASED PAINT -- CLEMINTINE PIGFORD & WENDY
HAWTHORNE, NORTHEAST DENVER HOUSING CENTER**

Decisions and/or Action Items:

- None.

3. COMPLETION OF RESIDENTIAL SOIL CLEANUP/WORKING GROUP -- PROGRESS REPORT AND Q&A – VICTOR KETELLAPPER, REGION VIII EPA VB/I-70 SITE PROGRAM MANAGER

Victor told the group that EPA believes this has been a successful project and commended everyone for working together since the group began in 1999. The soil sampling and removal work will be coming to an end this year, Victor said, and EPA will maintain only a minor presence next year. Victor suggested that because the work is mainly done, this would be a good time to create a list of unresolved issues. He thought it would be a good time to discuss completing the work of the Working Group as well.

Meeting participants discussed the project and identified the following 'unresolved issues'.

EXTERNAL LEAD-BASED PAINT:

Dr. Kosnett thanked EPA for the good effort and leadership. He noted that external lead based paint abatement is yet unfinished and EPA must make sure that it is done well. He asked if EPA is going back and re-sampling the soil at properties that have re-painted their houses since EPA removed and replaced their soil.

Victor affirmed that EPA is doing that.

Dr. Kosnett suggested that this would be a good opportunity to go back and ask folks at properties that have been repainted if they were informed of the 'pre-lead based paint notification rule'.

Victor noted that the rule would apply only to homes that were repainted by contractors, rather than property owners.

Dr. Kosnett said that it would be a good opportunity also for EPA to take enforcement actions against those contractors who did not follow the rule, and notify relevant homeowners because, in this instance, it is costing the government money to go back and re-sample.

Victor said that that may be something that the State or City would have the authority to do.

The group then discussed the question of – does the City maintain a list of contractors trained in lead-safe practices.

Clementine Pigford told the group that Northeast Denver Housing maintains a list and that they could place this on their website.

UNSAMPLED PROPERTIES

Anthony Thomas and Gene Hook asked about the homes that have not been sampled and those that have been sampled but have not been cleaned.

Tom Anthony asked if EPA had a map showing sampled properties.

Victor described the various steps EPA has taken over the years to attain voluntary access to those properties including:

- Mailing numerous letters;
- Mailing certified letters to landlords;
- Conducting an audit to identify any overlooked properties and attempting to contact their owners;
- Going door-to-door; and
- Mailing 'last chance letters' this year.

Victor said that approximately 100 properties have owners who have refused sampling and approximately 10 properties have owners who have refused clean-up.

John Works told the group that, from an enforcement standpoint, EPA is finished and will not attempt to contact these property owners any more.

Dr. Kosnett said that this raises the possibility that these homes might have high levels of lead and arsenic and new residents could move in and be unaware of the contamination. He asked if EPA could notify realtors of these properties.

John said that Colorado law already requires disclosure listing issues a property has with federal or state government prior to resale.

Lorraine Granado asked about properties where elderly people have denied access for testing, then die leaving no one with knowledge about the property.

Dr. Kosnett asked that EPA create a master list of remaining properties and provide it to CEASE and the Community Health Program (CHP) for use in the realtor outreach program component.

John said that he would have to check the laws prohibiting redlining districts.

Michael Maes asked if the City could put the property addresses on their website.

John told the group that it is EPA's position to not cloud titles right now.

Gene Hook asked that the entire list of properties involved in the VB/I-70 Program be included in the final report, a disaggregation according to outcome so that the properties that were either not sampled or cleaned would be distinguished explicitly.

REALTOR/CONTRACTOR OUTREACH

Dr. Kosnett noted that outreach to realtors and contractors is on-going as part of the Community Health Program (CHP).

Victor stated that the City of Denver would be addressing this issue in the CHP progress report. He told the group that the CHP would continue for a third year and that the City would take more of a lead in conducting the effort and determining program content and activities.

Dr. Kosnett said that he thought it would still be a good idea for EPA to be involved because the public comment period on the federal Lead Rule is concluding during this time.

Lorraine asked Victor if EPA had made a firm commitment to continuing the CHP for a third year.

Victor affirmed that EPA is committed to a third year CHP, and that Martha Hoff would submit a proposal including content and budget to EPA soon.

ELYRIA NEIGHBORHOOD

During the unresolved issues discussion, Tom Anthony stated that he felt that Elyria had not been represented in the VB/I-70 clean-up process. He noted that the Program Managers denied his request to be given a tour of the site from which the replacement soil was taken. He suggested that suspicion about this issue among Elyria residents might plausibly explain why some of these may not trust the Program and thus may not have participated in the clean-up.

Anthony Thomas stated his perspective that no one was excluded from representation and involvement in the Program and that notice was given about all Program related meetings from the very beginning of the Program.

George Weber offered to provide Tom the historical record of development of the Working Group and notes of several meetings over the years for which he has electronic files in his possession.

Dr. Kosnett said that EPA's Environmental Justice Program conducted extensive outreach to residents in the neighborhoods and there are several large reports documenting these activities.

Tom Anthony asked if the Program tested alleys and 'tree lawn areas'.

Victor replied that EPA tested 'tree lawns' as part of the residential assessment, and schools, parks, and alleys as well.

MEXICAN CANDY

Lorraine Granado informed the group that she is starting a new group addressing lead in Mexican candy. She invited anyone to join them if they are interested.

Decisions and/or Action Items:

- Renovation/Notification Rule follow-up:
 - PRI contractors will provide information to homeowners.
 - Possible enforcement follow-up.
- Remodeling information for lead based paint.
- Untested homes (soil) homes no soil clean-up.
- Make database available after completion of residential clean-up.
- Make map available of final status of properties.
- CHP outreach to contractors and realtors.
- Residences not tested and/or cleaned-up – how to distribute list. This is real estate agents' responsibility. CEASE will request list from EPA and distribute.
- Remedial Action report will list status of site properties, thus property status will be part of the administrative record.
- Northeast Denver Housing Center will place a list of qualified contractors on their website.

4. COMMUNITY CONCERNS – QUESTIONS AND ISSUES

THANK YOU – LORRAINE GRANADO

Lorraine Granado thanked everyone in the group who has been involved during the course of the Program, and particularly those on whom she and others have depended.

This was followed by a general round of accolades.

SOIL CLEAN-UP: WHAT ARE THE NUMBERS AND PERCENT OF LOCAL PEOPLE WORKING FOR THE SOILS REMOVALS AND REPLACEMENT? QUESTION RAISED BY ANTHONY THOMAS, CIVIC ASSOCIATION OF CLAYTON, CEASE

Anthony Thomas said that there is a difference of opinion about what constitutes a 'local hired employee'. He asked EPA and PRI, in their count of 'local hired contractors', the number that moved to the Denver area to work on the Program.

Michele Smith replied that all but one of the 'local hires' currently employed by PRI lived in the metro area before PRI hired them and provided the following data:

- PRI employees who lived in community prior to being hired: 19 out of 20 (current).
- Construction: 20 out of 23.
- CHP Workers 6 out of 6.

Victor clarified that the crew began with fewer locals than it has now. The reason, he explained, was because EPA wanted to hire the most qualified people at first, but that as time went on, EPA and PRI were able to increase the percentage of 'local hires' to the current level.

ISSUES/QUESTIONS RAISED BY TOM ANTHONY, ELYRIA NEIGHBORHOOD

Tom Anthony had a list of concerns, questions, and requests to share with the group. The concerns included:

- He has observed dust clouds originating from the Asarco site. Barbara O'Grady informed him that if he observes fugitive dust issues, that he should notify the City of Denver. Gene Hook suggested that he call the new '311 telephone line' which the City just instituted to help citizens report any issue of concern to the City.
- He received a letter from ATSDR recently which indicated that the agency would not conduct a health assessment of the area.
- He asked if the Program Managers would arrange for him to tour the area from where EPA obtains its replacement soil. He indicated that this would satisfy him sufficiently so that he would be happy to encourage Elyria residents who have not participated in the Program to do so. Barbara O'Grady replied that the State would not be giving any tours of the Asarco site. She told Tom that all the site information is documented in the Administrative Record. Victor agreed, and added that EPA also would not give a tour of the site, and in particular, because no soil replacement is occurring now. Lorraine asked if EPA would be depositing more soil at the Asarco site. Victor answered that five additional properties are scheduled to have their soil removed in August. Tom said that he would be satisfied, then, with an invoice of some kind, which he assumes must be part of the public record, and then he can go there himself.
- He indicated that he would like an audit of the State Cancer Study for the area, to be developed by an independent group. Jane said that he could have an independent audit done. She also mentioned that a written response has been submitted regarding questions about the study.
- He noted that CDPHE collects birth defect data and that he thinks it should be assessed.
- He asked why EPA did not investigate the uptake of metals by plants in the site.
- He asked how the Asarco Bankruptcy will affect the clean-up.

Decisions and/or Action Items:

- None.

5. COMMUNITY HEALTH PROGRAM: PROGRESS REPORT, Q&A – MARTHA HOFF, ADMINISTRATOR, CHP, DENVER DEPARTMENT OF ENVIRONMENTAL HEALTH

Jay Salas passed out a sheet detailing the canvassing statistics to date. He mentioned that they are still looking for additional Community Health Program (CHP) Workers and asked the group to forward any names if they know of anyone who would be interested.

Jay also noted that they have relocated the CHP office to the Mount Cavalry building at 36th and York. He said that he would send the group the new contact information, but that, for now, the old phone number still works. He said it's a good location for the program as it is centrally located and easily accessible.

Martha Hoff announced that there is still plenty of money available in the community small grants fund. She said there will be opportunities for community youth to be paid to distribute fliers announcing clinics this year.

Martha also told the group that she is finalizing the proposal for a third year CHP, and that this will be oriented primarily to canvassing and other outreach activities. She invited the community to stay involved in the program. She noted that the CHP workers and staff meet weekly, and there will be open meetings once a month through the end of the third year. She encouraged the community to attend.

Elizabeth Schiffman updated the group on the realtor and contractor outreach effort:

- Realtor outreach packets are ready to be mailed. The initial mailing will be to 200 real estate and listing agents.
- Packet for housing inspectors will be ready and mailed in July.
- Articles to be placed in the state realtor magazine in late July are still being developed.
- Contractor outreach packet is almost ready to be distributed.
- Letters inviting contractors to trainings are being developed. These will be mailed to painting contractors in July.
- Contact information from most major contractor unions has been developed. She may send them a letter and provide material they can post at their headquarters.

Dr. Kosnett asked if she is providing information to paint and hardware stores.

Martha replied that they will provide this information at events.

Dr. Kosnett asked if the City was checking to see if stores will carry useful items, for example lead-testing kits

Martha agreed that they could give the stores a list of items. Dr. Kosnett asked if the City was giving any talks at real estate meetings. Elizabeth replied that to the best of her knowledge, presenting at those meetings does not reach a wide audience and may not be the best use of time.

Jane Mitchell updated the group about biomonitoring. She said that they are gearing up for the last year of biomonitoring and are targeting residents for at properties that have had elevated levels of lead or arsenic in the soil and have not been cleaned. They are also doing a pilot in-home testing for one month at homes with four or more children in order to improve target testing of children under six. She said they are planning on reevaluating them in mid-July. Jane informed the group of plans for one clinic in each of June, July, and August, and then multiple clinics in September.

Dr. Kosnett suggested to Jane that she should try to analyze information from this effort.

Jane mentioned that she is working with college students through the Northeast Denver Housing Center to assess some of the data.

Lorraine offered to host some of the clinics at the Cross Community Coalition, since they are conducting weekly 'well-baby clinics'.

Jane suggested that the two sets of clinics share information.

Decisions and/or Action Items:

- Martha Hoff will submit a proposal to Victor Ketellapper, Site Program Manager, Region VIII EPA for a Year 3 CHP by Friday, June 23.
- Cross Community Coalition can apply for a small grant to assist in funding outreach related to lead in Mexican candy.

6. MEETING CLOSURE – NEXT & FINAL MEETING DATE, TIME, & CLAYTON LOCATION

The group discussed making the next working group meeting the final working group meeting, coinciding with the conclusion of the soil cleanup effort.

Decisions and/or Action Items:

- Final Working Group Meeting and Celebration of Project Completion will be conducted September 21, 9:00 AM – 12:00 PM at the New Hope Baptist Church, Overflow Room, located at 3701 Colorado Boulevard, Denver, Colorado, in the Clayton neighborhood.
- Jennifer Chergo, Community Relations, Region VIII EPA will plan the 'party' portion of this event.